

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Josellyn Jaime	Team: Squad #04	CCRB Case #: 202203658	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 06/07/2022 12:45 PM, Tuesday, 06/07/2022 1:54 PM	Location of Incident: Over the phone	18 Mo. SOL 12/7/2023	Precinct: 43		
Date/Time CV Reported Tue, 06/07/2022 3:10 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Tue, 06/07/2022 3:10 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. DT3 Rafael Perdomo	00895	942338	043 DET
2. DT3 Edgar Guerrero	01389	956706	043 DET

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. DT3 Steven Colon	06832	940993	043 DET

Officer(s)	Allegation	Investigator Recommendation
A.DT3 Edgar Guerrero	Abuse: Detective Edgar Guerrero threatened to damage § 87(2)(b) s property.	[REDACTED]
B.DT3 Rafael Perdomo	Discourtesy: Detective Rafael Perdomo acted discourteously toward § 87(2)(b)	[REDACTED]

Case Summary

On June 7, 2022, § 87(2)(b) filed this complaint through the CCRB website on behalf of herself and on behalf of her mother, § 87(2)(b) § 87(2)(b).

On June 7, 2022, at approximately 12:45 p.m., § 87(2)(b) received a phone call from Det. Guerrero of the 43rd Precinct Detective Squad. Det. Guerrero asked § 87(2)(b) for the whereabouts of § 87(2)(b) § 87(2)(b) her ex-husband. After § 87(2)(b) § 87(2)(b) did not provide the information, Det. Guerrero allegedly said to § 87(2)(b) “I want you to know that I am taking the case to a second level with higher people to get a search warrant and break your door down at any time” (**Allegation A: Abuse of Authority**, § 87(2)(g)).

On June 7, 2022, at approximately 1:54 p.m., § 87(2)(b) called Det. Rafael Perdomo of the 43rd Precinct Detective Squad to follow up on the officers’ call to § 87(2)(b) Det. Perdomo allegedly hung up the phone on § 87(2)(b) (**Allegation B: Discourtesy**, § 87(2)(g)).

There were no arrests or summons issued as a result of this incident.

No video surveillance or BWC footage of the incident was obtained.

Findings and Recommendations

Allegation (A) Abuse of Authority: Detective Edgar Guerrero threatened to damage § 87(2)(b) 's property.

§ 87(2)(b) testified that she received a phone call regarding a search warrant for § 87(2)(b) § 87(2)(b). Det. Guerrero introduced himself on the phone and asked § 87(2)(b) “Have you heard from § 87(2)(b) § 87(2)(b) § 87(2)(b) said she did not know § 87(2)(b) whereabouts but had left his previous message to one of § 87(2)(b) friends. Det. Guerrero replied, “You need to tell me because § 87(2)(b) § 87(2)(b) s son] told me that he is there. I want you to know that I am taking the case to a second level with higher people to get a search warrant and break your door down at any time (BR 01).

§ 87(2)(b) testified in her initial complaint that she called the 43rd Precinct to confirm if Det. Guerrero had called § 87(2)(b). She did not witness the initial phone call. § 87(2)(b) spoke to Det. Perdomo, who said he had no information on the case because Det. Colon was handling it (BR 03). § 87(2)(b) did not provide an official statement because she was unable to continue with the investigation.

Det. Perdomo testified that he might have received a phone call from a person named § 87(2)(b) who was upset because officers had knocked on her door regarding a warrant. Det. Perdomo did not remember what exactly was said. Det. Perdomo explained to the person on the phone that it was not his case and that he could not provide more details. Det. Perdomo stated that he and Det. Colon initially responded to a 911 call involving a stabbing and canvased the location based on video surveillance, but he did not have more information because it was not his case. Det. Perdomo did not know how Det. Guerrero got involved in the case or if he had contact with either § 87(2)(b) § 87(2)(b) or § 87(2)(b). Det. Perdomo believed Det. Guerrero never responded to the incident involving § 87(2)(b). Det. Guerrero denied calling § 87(2)(b) and threatening to break her door down (BR 02).

Det. Guerrero and Det. Colon testified that he did not know § 87(2)(b) § 87(2)(b) § 87(2)(b), § 87(2)(b).

§ 87(2)(b) or § 87(2)(b) § 87(2)(b) They both denied calling § 87(2)(b) and threatening to break her door down (BR 04, 05).

DD5 number § 87(2)(b) showed that Det. Colon was the reporting officer for § 87(2)(b) § 87(2)(b) case and conducted multiple checks on § 87(2)(b) § 87(2)(b) Det. Colon interviewed § 87(2)(b) § 87(2)(b) § 87(2)(b)'s brother, in-person and verified the identity of § 87(2)(b) § 87(2)(b) through a photograph. Det. Colon created an I-CARD for § 87(2)(b) § 87(2)(b) and made two apprehension attempts at § 87(2)(b) § 87(2)(b). The investigation obtained DD5 number § 87(2)(b) after interviews officer interviews.

§ 87(2)(b), § 87(2)(g)

Allegation (B) Discourtesy: Detective Rafael Perdomo acted discourteously toward § 87(2)(b)

§ 87(2)(b)

§ 87(2)(b) testified that she contacted the 43rd Precinct to inquire about the detective who had called § 87(2)(b) Det. Perdomo spoke to § 87(2)(b) informing her that he was not handling the case and could not provide details. § 87(2)(b) insisted she just wanted the name of the detective who had called § 87(2)(b) Det. Perdomo hung up the phone. § 87(2)(b) called back, and he refused to speak to her (BR 03).

§ 87(2)(b) did not provide an official statement due to being unable to continue with the investigation.

§ 87(2)(b), § 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has been party to two CCRB complaints and has been named as a victim in two allegations (BR 06):
 - § 87(2)(b)
- Det. Edgar Guerrero has been a member of service for eight years and has been a subject in three CCRB complaints and three allegations, none of which were substantiated. § 87(2)(g)

Mediation, Civil, and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- A Notice of Claim inquiry was submitted to the NYC Comptroller's Office on October 25, 2022 and will be added to the case file upon receipt (BR 08).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad: 4

